

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC and MOTOROLA MOBILITY LLC,
Petitioner,

v.

MULTIFOLD INTERNATIONAL INCORPORATED PTE. LTD.,
Patent Owner.

Case IPR2025-00058
Patent No. 9,158,494

**PETITIONERS' REPLY
TO PATENT OWNER'S RESPONSE**

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LIST OF EXHIBITS

Exhibit #	Description	Previously Submitted
EX1001	U.S. Patent No. 9,158,494 (“the ’494 patent”)	X
EX1002	Declaration of Sandeep Chatterjee, Ph.D.	X
EX1003	Curriculum Vitae of Sandeep Chatterjee, Ph.D.	X
EX1004	Prosecution History of U.S. Patent App. No. 13/366,483	X
EX1005	U.S. Patent Application Publication No. 2012/0306782 (“Seo”)	X
EX1006	U.S. Provisional Patent Application No. 61/441,491, Certified Translation of U.S. Provisional Patent Application No. 61/441,491 into English, and Translation Certificate (“Seo Provisional”)	X
EX1007	U.S. Patent Application Publication No. 2010/0248788 (“Yook”)	X
EX1008	Scheduling Order for <i>Multifold International Incorporated Pte. Ltd. v. Motorola Mobility LLC</i> , Case No. 1:23-cv-01173 (D. Del.)	X
EX1009	Scheduling Order for <i>Multifold International Incorporated Pte. Ltd. v. Google LLC</i> , Case No. 1:23-cv-01323 (D. Del.)	X
EX1010	U.S. Patent No. 8,649,824 (“Choi”)	X
EX1011	U.S. Patent No. 8,566,301 (“Rueben”)	X
EX1012	Mobile Phone Museum, Nokia 9000 Communicator (https://www.mobilephonemuseum.com/phone-detail/nokia-9000-communicator)	X

Exhibit #	Description	Previously Submitted
EX1013	U.S. Patent No. 6,912,664 (“Ranganathan”)	X
EX1014	U.S. Patent No. 8,265,705 (“Lee”)	X
EX1015	U.S. Patent No. 9,692,881 (“Jyonoshita”)	X
EX1016	An Introduction to Graphical User Interfaces with Java Swing, Paul Fisher, Addison Wesley, 2005 (excerpt)	X
EX1017	Exhibit 1017 to Cassar and Becze deposition transcripts (EX1020 and EX1021): Pegmatis, <i>Innovating the next generation in mobile phone technology – Imerj</i> (https://www.pegmatis.com/success-stories/innovating-the-next-generation-in-mobile-phone-technology)	
EX1018	Exhibit 1018 to Cassar and Becze deposition transcripts (EX1020 and EX1021): Pegmatis, <i>We solve complex design & development challenges</i> (https://www.pegmatis.com/case-study-categories/solving-complex-development-challenges)	
EX1019	Transcript of November 10, 2025, Cross-Examination of Sanjiv Sirpal in IPR2025-00058	
EX1020	Transcript of November 21, 2025, Cross-Examination of Ronald Cassar in IPR2025-00058	
EX1021	Transcript of November 21, 2025, Cross-Examination of Charles Edward (“Ed”) Becze in IPR2025-00058	
EX1022	OLED-Info.com, <i>Imerj and Frog show an Android phone prototype with two 4” WVGA AMOLED displays</i> , https://www.oled-info.com/imerj-and-frog-show-android-phone-prototype-two-4-wvga-amoled-displays (Jun. 24, 2011) (archived July 30, 2011 at https://web.archive.org/web/20110730054736/https://www.oled-info.com/imerj-and-frog-show-android-phone-prototype-two-4-wvga-amoled-displays)	

Exhibit #	Description	Previously Submitted
EX1023	November 2025 email correspondence between Petitioners and PO's counsel about producing documents from Sirpal and Cassar	

I. INTRODUCTION

Patent Owner (“PO”) does not contest that the prior art renders nearly all challenged claims obvious. Instead, it tries to antedate Seo (EX1005) but falls far short of meeting its burden. PO bases that swear-behind argument largely on the testimony from three declarants: inventor Sirpal, and non-inventors Cassar and Becze. But the declarants are biased, lack credibility, and lack knowledge sufficient to corroborate conception or reduction to practice. And more troublingly, there are substantial questions as to the trustworthiness of the evidence upon which PO relies. When instituting review, the Board expressed concerns about the declarants’ credibility. (Paper 11 (“Inst. Dec.”), 25.) Those concerns bore out during their depositions.

First, there are the missing documents. Cassar said he managed to power on Imerj prototypes, find dates associated with when their software was installed that are inconsistent with the dates PO is alleging in this proceeding, and emailed those dates (potentially with pictures) to PO’s counsel. Yet PO never produced that email or pictures and has ignored Petitioners’ request for them. Similarly, deposition revealed that PO collected thousands of documents from Sirpal and Cassar related to their work on the Imerj project, cherry-picked the documents each witness cites and/or was allowed to review, and then again refused to share the other relevant documents that Sirpal and Cassar found. As supposedly neutral third parties, the

declarants could have shared those documents with Petitioners. But during deposition, all three witnesses claimed that PO's counsel also represented them and, as counsel for the declarants, PO's counsel declined and ignored Petitioners' requests for the documents.

Second, there is the liability waiver and the payments to the declarants. Cassar was worried that Flextronics, the original patent owner, would sue him because he kept documents and prototypes of the Imerj despite starting his own company that arguably competes. To address this concern, at least Cassar and Becze received a liability waiver from Flextronics in exchange for "cooperating" with PO in this proceeding. Where is that waiver? Again, PO and the declarants refused to produce it. On top of this, PO has been paying its declarants handsomely (currently \$950/hour to Sirpal and \$500/hour to the others) in exchange for their testimony. And there are myriad other reasons to doubt the declarants' veracity, discussed below.

Aside from these credibility issues, PO's documents do not show what was reduced to practice. And indeed, its declarants conceded that no documents show how the Imerj prototypes worked. Unable to prove that the prototypes practice the challenged claims, PO cannot meet its burden to establish prior conception and reduction to practice. PO also cannot antedate Seo because the earliest alleged conception evidence was authored by someone other than the named inventors.

For claims 14 and 18, PO argues that the Petition’s reliance on its claim 1 analysis for those similar claims is insufficient, even though all three claims similarly require discontinuing a page of an application. PO bases its argument on which page is designated a “child,” but that designation does not undermine Petitioners’ unpatentability showing.

II. PO DID NOT PROVIDE COMPETENT, CORROBORATED EVIDENCE PROVING REDUCTION TO PRACTICE

To antedate Seo, PO “must show either an earlier reduction to practice, or an earlier conception followed by a diligent reduction to practice.” *Purdue Pharma L.P. v. Boehringer Ingelheim GmbH*, 237 F.3d 1359, 1365 (Fed. Cir. 2001). PO alleges both here, but its evidence is insufficient.

When the Board instituted IPR, it explained that “[f]urther development of the evidentiary record will be useful to the Board to properly assess credibility of the three declarants and, importantly, to determine whether Mr. Sirpal’s testimony is sufficiently corroborated.” (Inst. Dec., 25.) PO never supplemented any evidence. And further development of the record during deposition highlights PO’s failure of proof and the declarants’ partiality, bias, and lack of personal knowledge.

A. PO’s Declarants Lack Credibility and Knowledge

Petitioners noted striking similarities in Sirpal, Cassar, and Becze’s declarations before institution, suggesting collaboration rather than independent corroboration. (Paper 9 (“Reply to POPR”), 4-5.) Multifold argued that there was

nothing wrong with the declarants “work[ing] with each other ... to confirm their recollections.” (Paper 10 (“POPR Sur-Reply”), 4; *see also* Inst. Dec., 25.) But what occurred was far more troubling. The declarations are so similar because PO’s counsel wrote them all. (*See* EX1019, 22:5-12; EX1020, 45:21-46:1; EX1021, 33:3-8.) This occurred after group meetings between those witnesses and PO’s counsel. (*See e.g.*, EX1019, 37:18-38:9; EX1020, 52:4-11; EX1021, 33:18-35:4, 36:8-38:12.) And what transpired in those meetings is hidden—the same declarants who claim to recall what occurred fifteen years ago with precision could not recall with any level of detail what occurred just months ago in those meetings (*see, e.g.*, EX1019, 155:10-158:3; EX1020, 53:5-54:3; EX1021, 33:18-35:4, 36:8-38:18), and PO’s counsel claimed privilege over whatever it said to the declarants (*see* EX1019, 157:16-161:3).

PO’s counsel also represents those fact witnesses in this IPR. PO is paying those attorneys. (*See*, EX1019, 162:19-163:2; EX1021, 8:7-9; *see also* EX1020, 38:2-8.) And PO is paying those witnesses. Sirpal is receiving \$950/hour—as a *fact* witness—and has made at least \$70,000 in this proceeding. (EX1019, 16:3-17:1.) That is currently his only source of income aside from a Kickstarter campaign and negligible revenue from book sales. (*Id.*, 14:15-15:7, 63:10-64:14.) Cassar and Becze were initially receiving \$200-250/hour, but then apparently demanded to

increase their rates to \$500/hour. (EX1020, 24:15-27:19; EX1021, 24:5-9, 25:22-26:13.)

Sirpal and Cassar also located stores of Flextronics documents relevant to this case, but PO's counsel cherry-picked which of those documents to produce, cite in the declarations, and even which ones the declarants reviewed, begging the question of what they omitted. PO and the declarants have refused and ignored Petitioners' requests for these documents. (*See* EX1023, 1-5.)

Stonewalling Petitioners suggests PO has something to hide. If nothing harmful occurred in the meetings with its declarants, why hide behind privilege? And if the Flextronics documents Sirpal and Cassar located are not harmful, why not turn them over to Petitioners? PO has commandeered third party witnesses and converted them into highly-paid partisan actors to obtain unequal access to their documents and knowledge. That undermines the credibility of PO's entire position.

1. Sirpal Lacks Knowledge and Credibility

Sirpal's testimony deserves no weight because he lacks credibility. Sirpal argues the evidence shows things it plainly does not. As one example, Sirpal represented that "the Browser specification *specifies* that the 'Web Browser' view remains visible *on minimization gestures*, unless there is a modal on the 'Control

Page’ on the left.” (EX2001, ¶23 (citing EX2013, 44).)¹ But the browser specification never mentions any gesture inputs. (*See generally* EX2013.) It shows only button inputs. (*See, e.g., id.*, 33 (button inputs in dashed boxes), 35 (showing same buttons on a display).)

As another example, Sirpal contradicted his declaration when testifying about the gesture capture region of claims 2 and 14.² Those claims require the gesture capture region to be part of a display. But on the Imerj EV devices, the gesture capture region shown in Sirpal’s declaration is not part of any display. (*See* EX2001, ¶11 (citing EX2006, 15, 30); EX2006, 15 (showing gesture capture region above display), 30 (same).) Becze agreed it was not part of a display. (EX1021, 73:5-12; *see also id.*, 67:16-68:1, 71:9-73:4.) PO even disclaimed claim 2 following institution, confirming it was clearly wrong to ever contend that the EV devices’ gesture capture region was part of a display (but blaming that disclaimer on a non-existent claim construction issue). (*See* Paper 22 (statutory disclaimer); Paper 20 (“POR”), 3 n.3; *see also* EX1001, 3:57-60 (defining “screen”), 4:22-23 (defining “display”).) Despite this, Sirpal represented that “[e]ach display had a gesture capture region along the top of the display and a touch display encompassing most

¹ All emphasis added unless otherwise indicated.

² Board also noted Sirpal’s inconsistent testimony on this. (*See* Inst. Dec., 24.)

of the display below the gesture capture region,” implying that the gesture capture region was part of the display as support for contending the EV-1 devices reduced to practice claim 14. (EX2001, ¶62; *see also id.*, ¶70 (“Accordingly, the Imerj EV-1 prototypes had the functionality described in claims ... 12-14”).) But during deposition, he said the opposite—the gesture capture region was not part of any display:

Q. The dashed box we see on the figures on Page 5 of your declaration, is that the gesture capture strip?

A. Yes, it is.

Q. Is that gesture capture strip part of any display in the device shown?

A. It’s a part of the screen.

Q. Is it part of the display?

A. That specific one, no.

(EX1019, 95:9-17; *see also id.*, 95:18-97:1.) Even after this reluctant admission, Sirpal was evasive about the gesture capture region’s location on Imerj devices, if it was part of a display, and if claim 14 was reduced to practice in those devices that lacked the required gesture capture region as part of a display. (*See id.*, 98:10-106:15.) Sirpal’s declaration is similarly misleading on this issue. He repeatedly refers to the gesture capture bar as on a “screen” instead of a “display,” inaccurately suggesting its presence on a “screen” meets the claimed “display” location. (*See*,

e.g., EX2001, ¶¶55, 62.) But he knows “that a screen is different from a display in ’494 patent.” (EX1019, 102:10-13; *see also id.*, 104:7-13.)

Sirpal is willing to stretch the facts to support the ’494 patent’s validity. That is not the testimony of a credible unbiased witness. Accordingly, his testimony deserves no weight. *C.f., Interactive Comm.’s Int’l, Inc. v. Blackhawk Network Inc.*, IPR2024-00465, Paper 39 at 3-4 (October 31, 2025) (reversing the Final Written Decision and terminating the proceeding because the Board improperly credited an expert whose testimony “lacked credibility in at least certain respects”) (citing *N.L.R.B. v. Pittsburgh S.S. Co.*, 337 U.S. 656, 659 (1949) (“[T]he testimony of one who has been found unreliable as to one issue may properly be accorded little weight as to the next.”)).

Further showing his partiality, Sirpal provided “thousands” of Flextronics documents to PO’s counsel. (EX1019, 65:8-67:3.) Those documents include an allegedly 8-minute video from which Sirpal and PO rely on two short, purported excerpts (EX2022 and EX2023). (*See* EX1019, 145:5-146:11.) And while Sirpal initially seemed willing to give Petitioners those documents (EX1019, 76:5-7), his counsel (simultaneously acting as PO’s counsel) subsequently refused to provide any documents. (*See* EX1023, 1-5.) Sirpal giving PO open access to relevant information that was withheld from Petitioners (other than cherry-picked and excerpted documents) establishes favoritism and bias.

Sirpal also declined to testify that he selected the documents cited in his declaration, evasively avoiding answering if it was him or PO's counsel. (*See id.*, 71:14-73:8.) And Sirpal claimed he did not review all the documents he provided to PO (*see e.g., id.*, 69:1-70:3) so he could not be meaningfully examined on them.

Sirpal's memory is questionable too. He could not remember recent events like the details of meetings with PO's counsel or the other declarants (*see* EX1019, 150:20-152:8), what was shared or said at those meetings (*see id.*, 155:14-156:11, 156:19-157:7, 157:16-158:3), or if he and Cassar or Becze had conflicting recollections about any aspect of Imerj (*id.*, 51:9-20). Important facts from over 15 years ago hinge on Sirpal's credibility and memory, but those cannot be supported by an unreliable witness.

2. Cassar Lacks Knowledge and Credibility

Like Sirpal, PO's counsel wrote Cassar's declaration (EX1020, 45:21-46:1; *see also id.*, 46:2-47:17), represents Cassar in this proceeding (*see id.*, 37:4-39:11), is being paid by someone other than Cassar for that representation (*see id.*, 38:2-8), and PO has paid Cassar \$200/hour at first, and then later \$500/hour for his participation in this IPR (*see id.*, 26:8-14, 26:20-27:1). Even more concerning,

Cassar and Becze received a liability waiver from Flextronics in exchange for their “help” in this proceeding.³ (*Id.*, 83:2-7.)

Cassar testified that he had retained documents and devices from Flextronics, potentially in violation of his employment agreement, and was worried he could face liability. (EX1020, 80:6-83:18.) But Flextronics “wanted [him] to help out.” (EX1020, 82:15-83:7, 83:20-22.) And Cassar explained that “in the release that [Flextronics] sent [him and Becze], it said that ... because we were cooperating, that they would give the waiver.” (*Id.*, 85:11-16, 86:3-87:4; *see also id.*, 267:5-268:2 (clarifying that Flextronics said “cooperating” in either the waiver or an email).) Without that waiver, Cassar was worried about his liability for having a server with Flextronics documents. (*Id.*, 85:18-86:1.) Petitioners asked Cassar to share the waiver but he said he would need to consult his counsel. (*Id.*, 268:6-269:10.) PO and Cassar’s counsel ignored Petitioners’ subsequent request for the waiver and related email. (EX1023, 1.) One can only infer that the waiver (or email) would damage Cassar’s credibility even worse than his testimony.

³ Petitioners do not know if Sirpal received a similar waiver for his Flextronics documents because he was deposed before Cassar and Becze and so Petitioners did not have occasion to ask Sirpal about a waiver.

Cassar also revealed that he and PO withheld evidence that appears to be inconsistent with positions that Multifold has taken in this IPR. Specifically, Cassar said he managed to power on certain EV-1 and EV-2 prototypes and determine the date their software was installed. (EX1020, 196:6-197:12.) He did not recall the exact dates but believed “it was either February or March 2011” (and it could have been later). (*Id.*) He sent those dates, maybe with pictures (he was not certain), to PO’s counsel. (*Id.*, 198:2-199:9.) But that evidence was never disclosed to Petitioners. And when Petitioners followed up after Cassar’s deposition to request this evidence, PO’s counsel ignored that request like the others. (EX1023, 1.) The only logical conclusion is that PO hoped the dates were before its alleged reduction to practice dates (and the software installed did what PO contends), and when that was not the case, PO improperly withheld the evidence.

Confirming that Cassar’s testimony deserves no weight, he made a clear misstatement about the evidence during his deposition. Page 2 of Cassar’s declaration shows an image of an Imerj device. (*See* EX2002, ¶3.) He testified that is “a picture of one of the phones at our office” that he managed to power on and operate, and that either he, Becze, or Sirpal took the photograph “recently.” (*See* EX1020, 87:6-88:12; *see also id.*, 88:13-92:20.) But that is provably false. That photograph, bearing the same watermark in the bottom left corner, has been

available on the internet since around June 2011. (*See, e.g.*, EX1022, 2.) It is not a recent photograph of a device that was powered on and working.

Cassar also testified that bug reports for Imerj showed no issues with the relevant functionality. But Cassar only reviewed the bug reports provided to him and did not have access to or investigate any bug reports after the alleged February 22, 2011, reduction to practice date, even though they “kept testing and testing ... for another year.” (*Id.*, 249:5-19.) This testimony confirms that his analysis was intended only to support Multifold rather than seek the truth as to if or when the ’494 patent was actually reduced to practice.

3. Becze Lacks Knowledge and Credibility

Becze lacks sufficient knowledge to corroborate anything, and his testimony should be disregarded on that basis.⁴ The ’494 patent claims at issue are focused on software operations and recite only trivial hardware features. But Becze “was not involved in the software development for the Imerj project.” (EX2003, ¶6.) He worked on hardware. (*Id.*, ¶4.)

Becze could not recall having seen, before this proceeding, the documents cited in his declaration’s discussion of the software development. (*See* EX1021,

⁴ As previously noted, Flextronics provided Becze a liability waiver for “cooperating,” calling his impartiality into question for the same reasons as Cassar.

56:21-59:4; EX2003, ¶¶28-31 (citing EX2007 and EX2008).) Nor had he seen a document allegedly “confirming” his recollection Sirpal “came up with the concept of minimizing and maximizing apps ... on the Imerj smartphone.” (EX1021, 56:6-15; EX2003, ¶¶7-12 (citing EX2006).) And while Becze’s declaration vaguely references his “recollection that ... maximization and minimization was implemented in both EV-1 and EV-2 prototypes” (EX2003, ¶31), he could not answer basic questions about how the software would respond to user inputs, demonstrating his lack of personal knowledge (EX1019, 106:3-18 (unable to say what would happen if an application was showing on two screens and a user swiped from left to right)). Becze also lacks an understanding of what a parent or child was at Flextronics, even though a “child” is recited in every independent claim at issue. (EX1019, 106:19-107:9.) And, tellingly, he does not map anything to any claim limitations. (*See generally* EX2003.) Becze simply signed a declaration written by PO’s attorneys describing what documents Becze had never seen before may say about things Becze does not himself know. (*See, e.g.*, EX2003, ¶28 (opining EX2007 “*appears to disclose ...*”).) That is not independent corroboration.

B. PO Cannot Corroborate Sirpal’s Alleged Reduction to Practice

To prove conception and reduction to practice through an inventor’s testimony, a party must proffer evidence, “in addition to [the inventor’s] own statements and documents,” corroborating the inventor’s testimony. *Mahurkar v.*

C.R. Bard, Inc., 79 F.3d 1572, 1577 (Fed. Cir. 1996); *Hahn v. Wong*, 892 F.2d 1028, 1032 (Fed. Cir. 1989). The corroboration requirement exists to prevent an inventor from “describ[ing] his actions in an unjustifiably self-serving manner,” *Chen v. Bouchard*, 347 F.3d 1299, 1309 (Fed. Cir. 2003), but “[e]ven the most credible inventor testimony is *a fortiori* required to be corroborated by independent evidence,” *Medichem, S.A. v. Rolabo, S.L.*, 437 F.3d 1157, 1171-72 (Fed. Cir. 2006).

The sufficiency of the proffered corroboration is determined by a “rule of reason” analysis in which all pertinent evidence is examined. *In re NTP, Inc.*, 654 F.3d 1279, 1291 (Fed. Cir. 2011). Even under the “rule of reason” analysis, however, the “evidence of corroboration must not depend solely on the inventor himself.” *Cooper v. Goldfarb*, 154 F.3d 1321, 1330 (Fed. Cir. 1998); *see also Hahn*, 892 F.2d at 1033 (corroborating evidence must be “independent of information received from the inventor”).

To antedate a reference based on prior conception, a party must “connect[] the conception with [the inventor’s] reduction to practice by reasonable diligence on his part, so that they are substantially one continuous act.” *Mahurkar*, 79 F.3d at 1577. “To demonstrate an actual reduction to practice, the applicant must have: (1) constructed an embodiment or performed a process that met all the limitations of the claim and (2) determined that the invention would work for its intended purpose.” *In re Steed*, 802 F.3d 1311, 1318 (Fed. Cir. 2015). In an *inter partes*

review, “a patentee bears the burden of establishing that its claimed invention is entitled to an earlier priority date than an asserted prior art reference.” *In re Magnum Oil Tools Int’l, Ltd.*, 829 F.3d 1364, 1376 (Fed. Cir. 2016).

Here, because Cassar and Becze’s declarations were written by PO’s counsel as a byproduct of group meetings, the non-inventor declarations and testimony are not “independent evidence.” *Hahn*, 892 F.2d at 1033. Thus, they cannot corroborate Sirpal’s testimony. Likewise, the documents obtained from Sirpal’s files (e.g., EX2006-EX2009, EX2011-EX2013, EX2022-EX2025; *see* EX2001, ¶¶71-79 (stating those exhibits were from Sirpal’s files)) cannot corroborate his testimony because they are not evidence independent of Sirpal. *See Hahn*, 892 F.2d at 1033. PO failed to show, with corroborated evidence, reduction to practice and continuous diligence for the additional reasons below.

1. PO Failed to Prove Reduction to Practice at Any Date

PO’s alleged reduction to practice evidence is sorely lacking. Its declarants lack the credibility necessary to give weight to their testimony, and Becze does not know enough to corroborate anything. (*Supra*, §§II.A-II.A.3.) And PO’s documents do not show how the EV-1, EV-2, or Smartpad devices worked on or before either of its alleged reduction to practice dates.

Simply put, there is no corroborated evidence showing such a device embodied each element of the challenged claims as of those dates. As Petitioners

pointed out before institution, PO's proffered arguments and evidence for reduction to practice hinge on tenuous inferences. (*See* Reply to POPR, 1-4.) Namely, to find for PO, one must start from the conclusion PO is trying to prove—that the EV-1, EV-2, and Smartpad had all the features described in the alleged “conception” documents cherry-picked by PO's counsel (Exhibits 2006, 2012, and 2013)—without any evidence that Flextronics was in fact trying to implement those documents in its software exactly as described, with no future changes or revisions. The alleged “reduction to practice” evidence uses vague terms like “minimize,” “maximize,” “ParentChild,” and “Visual Multitasking” with no explanation as to what those functions are, insufficient detail to determine if they correspond to any claim limitations, and no indication of whether they match what was in the alleged conception documents. (*See, e.g.*, EX2033, 1 (“Minimize Dual Display Application Transition Controller”; “Maximize Dual Display Application Transition Controller”); EX2034, 1 (“ParentChild”); EX2035, 1 (“Visual Multitasking”).) As such, those documents cannot plausibly show or corroborate reduction to practice of the challenged claims.

PO makes no particularized showing of how the EV or Smartpad devices worked at the alleged reduction to practice dates. That is unsurprising given Sirpal and Becze testified that there are no documents showing how the EV-1 and EV-2 prototypes operated. (EX1019, 118:8-16; EX1021, 90:3-17.) But it is still a glaring

hole in PO's evidence, in view of its contention that Imerj was allegedly "demonstrating WPC functionality" to companies such as Vodaphone and CPW, which was supposedly "implemented and operating for its intended purpose" by "the week of January 17, 2011." (POR, 30-31.) Yet there are no user manuals, presentations, demonstration videos, or even an email to a potential customer describing how an Imerj device operates. Nothing evidences what Flextronics showed to Vodaphone or CPW, if those meetings even occurred. (*See id.*; EX2035.)

PO's other purported evidence is equally lacking. For instance, even assuming the bug reports (discussed *supra*, §II.A.2) showed no issues with the claimed functionality, that could only matter if PO proved the claimed functionality was implemented in the devices being tested. But it cannot. Even an Imerj presentation to a prospective customer dated eight months after the alleged reduction to practice does not show the claimed functionality implemented. (*See generally* EX2010.) And as noted above (*supra*, §II.A.2), Cassar said he did not analyze bug reports from after the alleged reduction to practice dates even though they existed and were withheld from Petitioners. *See DSL Dynamic Sciences, Ltd. v. Union Switch & Signal, Inc.*, 928 F.2d 1122, 1126 (Fed. Cir. 1991) ("events occurring after an alleged actual reduction to practice can call into question whether reduction to practice has in fact occurred").

The same is true for PO's claim that the "Tiger Team UX Polish" document (EX2007) shows refining "core functionality" that already worked for its intended purpose. (POR, 35.) That document does not give any particulars as to what was being "polish[ed]." (*See generally* EX2007.) Instead, PO's argument again requires a circular logic that one must first assume the "core functionality" being polished is the challenged claims; only then could one conclude that polishing may suggest the claimed functionality was working.

Similarly, Paul Reeves's email (which is hearsay) stating he understands ParentChild "may" have been added to the framework does not show that ParentChild *was* added to the framework, that it corresponds to the claimed functionality, or that it worked as intended. (*See* EX2034.) And Rod Schrock's emails (also hearsay) referencing "an ad hoc multi-hour review of our handset" (EX2035) and EV-2 prototypes being "relatively functional smartphones" (EX2036) include no indication that those devices practiced any challenged claims. His emails say only that the EV-2 was relatively functional, not *how* it functioned. Multifold's evidence does not show "how," but that is what Multifold must prove.

Instead, PO makes conclusory assertions that because some documents could suggest the EV prototypes had generic-sounding features like minimizing, maximizing, and gestures, those features must correspond to the '494 patent's claims. That is insufficient to prove reduction to practice at least because those

generic features were known in the art and are not the alleged invention. (*See, e.g.*, EX1019, 173:12-18.)

For the Smartpad video excerpts (Exhibits 2022 and 2023) neither the excerpts' authenticity nor the date of their creation is corroborated by non-inventor evidence. They are supported solely by inventor Sirpal's testimony and a screenshot of purported metadata (Exhibit 2025) from Sirpal himself. But corroboration must be "independent of information received from the inventor." *Hahn*, 892 F.2d at 1033. Even the metadata cannot be confirmed without relying on Sirpal's testimony at least because that metadata is from Sirpal and PO's counsel refused to produce the full video from which the original metadata could have been analyzed. (*Supra*, §II.A.1.) Thus, PO cannot corroborate the excerpts' authenticity or date. *See Microsoft Corp. v. Surfcaster, Inc.*, IPR2013-00292, Paper 93 at 16-17 (finding inventor evidence cannot alone authenticate a document or corroborate an exhibit's date of origin). Accordingly, PO failed to prove that the challenged claims were reduced to practice in any device either before February 10, 2011, or by February 22, 2011.

2. PO Failed to Prove Continuous Diligence From Before February 10, 2011 Through February 22, 2011

PO's alternative alleged February 22, 2011, reduction to practice date also fails because PO does not prove diligence. (*See* POR, 36-38.) Disguising its lack

of evidence, PO drastically inflates the number of engineers working on the alleged functionality, suggesting that “[t]he entire Imerj team was working on a daily basis” and “EX2007 shows roughly 40 team members ... to identify issues on a daily basis with the daily EV-2 builds” plus “other team members ... involved in testing during this timeframe,” and that “there was daily diligence ... in the form of dozens of team members [doing various tasks].” (POR, 36-37.) But Sirpal testified that there were “possibly three or four potential engineers” working on the functionality claimed in the ’494 patent, not 40-plus. (EX1019, 136:17-137:16.) PO does not show what *those* engineers were doing from before February 10, 2011, through February 22, 2011. PO cannot rely on engineers generally working on some aspect of an Imerj device, it must (but did not) show diligence in reducing the claimed features to practice.

III. PO HAS NOT SHOWN PRIOR INVENTION BY THE NAMED INVENTORS

Even assuming PO’s evidence shows conception and reduction to practice of the alleged invention by *someone*, it is insufficient to show the named inventors invented anything before Seo’s priority date. To antedate Seo, PO must establish with corroborated evidence that the applicants themselves conceived of the alleged invention. *See* Pre-AIA 35 U.S.C. §102(e)(1), (f) (“[A person shall be entitled to a patent unless] the invention was described in – [(e)](1) an application for patent ...

by another filed in the United States *before the invention by the applicant* for patent” or “(f) he *did not himself invent* the subject matter sought to be patented”). But the evidence presented by PO, if accepted as showing prior invention, at best implies that Martin Gimpl⁵ conceived of, and John Visosky contributed to, the concepts described in the documents that PO presents. Because they are not the named inventors, PO cannot rely on their alleged work to antedate Seo. *See Solvay S.A. v. Honeywell Int’l, Inc.*, 622 F.3d 1367, 1376-77 (Fed. Cir. 2010) (reproducing an invention conceived of by another does not make one an inventor).

The earliest alleged “conception” document Multifold produced is the September 10, 2010 “Windowing Management Interaction Design Specification,” Exhibit 2012. (*See, e.g.*, POR, 16-20.) But the only person’s name on that document is Gimpl—not Sirpal or Selim. (*See* EX2012, 1.)

⁵ Gimpl was a senior interaction designer at Flextronics who “wr[o]te the interaction design specifications.” (EX1019, 51:21-53:15.)

Windowing Management

Interaction Design Specification

Version: 0.4
Revised September 10, 2010 5:37 PM
Created by Martin Gimpl

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(EX2012, 1.)

Sirpal tried to brush this away in a single conclusory statement: “Exhibit 2012 is [a] specification ... created by my design team with my input and *evidencing my conception* of the invention of the challenged claims.” (EX2001, ¶15.)⁶ But Sirpal provides zero details regarding how or when he supposedly conceived of the information in Exhibit 2012, does not say what he did (if anything) with respect to

⁶ Sirpal’s declaration and PO focus on Sirpal’s alleged contributions, and do not substantively address contributions by co-inventor Selim.

creating the specification, or otherwise explain how this document authored by someone else evidences *his conception* of the challenged claims. (*See id.*)

Nothing corroborates that Exhibit 2012 evidences Sirpal's conception. Neither Cassar nor Becze mentions Exhibit 2012 or its September 10, 2010, date in their declarations. Instead, they both stated (verbatim) that they "have reviewed Exhibit 2006," a document dated over two months later with Sirpal's name on its face, which purportedly "confirms [their] recollection that Sanjiv came up with the idea for the gesture functionality at issue here—including dual screen applications with parent/child relationships, and minimization and maximization functionality,—no later than November 8, 2010." (EX2002, ¶¶11-12; EX2003, ¶¶7-8; *see also* Inst. Dec., 16.) Exhibit 2006 cannot corroborate Sirpal's conception when Exhibit 2012 suggests Gimpl already conceived of the same ideas.

Aside from not citing Exhibit 2012, Becze could not recall having ever seen Exhibit 2006 before receiving it from Multifold's counsel. (*See* EX1021, 55:13-56:15.) He "was not involved in the software development for the Imerj project." (EX2003, ¶6.) And Becze admitted that if someone else on Sirpal's team came up with the ideas in Exhibit 2006, he would not have any basis to know that. (*See* EX1021, 64:3-12.) Accordingly, Becze lacks personal knowledge of Sirpal's alleged conception and cannot corroborate it.

Cassar likewise testified that in his role on the Imerj project, he did not gain an understanding on which ideas Gimpl contributed versus which ideas Sirpal contributed. (*See* EX1020, 250:19-251:4.) And he conceded his belief that Sirpal created Exhibit 2006 was based on “speculation.” (*Id.*, 133:5-11; *see also id.*, 124:10-126:20.) Thus, Cassar has no basis to know who conceived of the ideas in Exhibit 2012. Sirpal’s name on Exhibit 2006 (which is hearsay) is not enough to show that he invented the subject matter therein. Additionally, Cassar testified that John Visosky contributed ideas associated with the minimizing and maximizing functionality. (*See* EX1020, 113:22-117:20 (testifying with reference to EX2033 that Visosky “brought to the table” the “minimized dual display application transition controller, maximized dual display application transition controller”).) And to the extent EX2033 relates to the *claimed* minimizing and maximizing functionality as Multifold argues (*see, e.g.*, POR, 28-30), Multifold has not shown those features were conceived by the named inventors.

Multifold contends that Exhibit 2012 discloses each element of nearly all challenged claims. (*See, e.g.*, POR, 39-94 (citing EX2012 as disclosing every claim limitation in all challenged claims except dependent claims 9 and 13, which add trivial limitations).) Sirpal also represented that “EV-1 and EV-2 both implemented WPC specification Exhibit 2012.” (EX2001, ¶57.) Thus, PO cannot avoid the fact

that to the extent the evidence shows conception (or reduction to practice), it does not show prior invention by Sirpal and Selim.

In *Solvay*, Honeywell claimed it was an inventor for purposes of §102(g)(2), seeking to invalidate a patent on a later invention. *See Solvay*, 622 F.3d, 1376-78. But Honeywell had received instructions from a Russian team that had previously conceived of the invention. *See id.* Thus, “Honeywell did not have, or formulate, a definite and permanent ‘idea’ of its own capable of being reduced to practice,” and could not be a prior inventor. *Id.* at 1377-38. Similarly here, Sirpal was plainly aware of Exhibit 2012, which he represents his team created. (EX2001, ¶15.) PO cannot rely on the work of non-inventors to antedate Seo.

IV. THE PETITION DEMONSTRATES THAT CLAIMS 14 AND 18-20 ARE UNPATENTABLE

PO argues that Petitioners identified no evidence Seo renders obvious “in response to a first input ... to minimize the first application ... discontinu[ing] the display of the first page of the application” as recited in limitations 14[m] and 18[c], where “the second page is a child of the first page.” (POR, 95.) But PO does not dispute that it would have been obvious in view of Seo to discontinue the display of a first page of an application in response to a user input to minimize the first application as the Petition demonstrates. (Pet., 29-31.)

PO hinges this argument on the fact that in claim 1 the “first page” is an “auxiliary page” that is a “child of the primary page” (EX1001, 51:34-35, 39-40) whereas in claims 14 and 18, the “the second page is a child of the first page” (but not necessarily an “auxiliary page”) (*id.*, 53:2-3, 54:10-11). (POR, 95-96.) The “child” identifier, however, is not a material to the Petition’s analysis. Beyond identifying which page’s display is discontinued following a user input, the claims do not recite any functionality related to the “child” designation. (*See* EX1001, 51:32-54:32.)

The Petition demonstrates that it would have been obvious in view of Seo to discontinue displaying the first page of an application in response to a user input, and that applies regardless of whether the first page is designated as a “child.” (*See* Pet., 29-31.) Accordingly, limitations 14[m] and 18[c] are obvious for the same or similar reasons as Seo undisputedly renders obvious limitation 1[d]. (*See id.*)

V. CONCLUSION

For the reasons above, the challenged claims are unpatentable and should be cancelled.

Respectfully submitted,

Dated: December 5, 2025

By: /Naveen Modi/
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Counsel for Petitioner Google

CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. § 42.24(d), the undersigned certifies that the foregoing Petitioner's Reply to Patent Owner's Response contains, as measured by the word-processing system used to prepare this paper, 5529 words. This word count does not include the items excluded by 37 C.F.R. § 42.24 as not counting towards the word limit.

Respectfully submitted,

Dated: December 5, 2025

By: /Naveen Modi/
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CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2025, I caused a true and correct copy of the foregoing Petitioner's Reply to Patent Owner's Response and supporting exhibits to be served electronically on counsel for Patent Owner at the following addresses:

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